



Atty. Docket No. 34909-PCT-USA (069277.0108)  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Escudero and Peña  
Appln. No. : 10/031,047 Examiner : Pak, Yong D.  
Filed : September 23, 2002 Art Unit : 1652  
For : NUCLEIC ACIDS, VECTORS, AND CELL LINES COMPRISING A  
CYCLOOXYGENASE-2 (COX-2) PROMOTER AND METHODS OF  
SCREENING FOR COX-2 INHIBITORS (as amended)

**DECLARATION**

I hereby declare the following:

1. LABORATORIOS DEL DR. ESTEVE, S.A. is the sole Assignee of the claimed invention of United States Patent Application No. 10/031,047 (hereinafter referred to as the '047 application). The Assignment is recorded in the USPTO at Reel/Frame: 013317/0800.

The '047 application has a filing date of September 23, 2002 and claims priority from International Patent Application No. PCT/ES00/00245 having a filing date of July 11, 2000 and Spanish Patent Application No. P9901557 filed July 12, 1999.

2. I am currently employed by the LABORATORIOS DEL DR. ESTEVE, S.A. a corporation organized and existing under the laws of Spain, having a place of business at Avda. Mare de Deu de Montserrat 221, E-08041 Barcelona, Spain.

3. I have the designated authority empowering me to act on behalf of LABORATORIOS DEL DR. ESTEVE, S.A., in the matter to which this declaration pertains.
4. LABORATORIOS DEL DR. ESTEVE, S.A. is the named depositor of biological material assigned accession number CECT 5145, identified by the depositor as DH5-PROM2-1906-LUC, and accession number ECACC 99032405, identified by the depositor as J-1906-F9.
5. As the named depositor, LABORATORIOS DEL DR. ESTEVE, S.A., is in a position to make a statement or assurance of compliance in respect to the biological deposits having accession numbers CECT 5145 and ECACC 99032405.
6. On behalf of LABORATORIOS DEL DR. ESTEVE, S.A., I hereby confirm that deposits CECT 5145 and ECACC 9903240, identified in the '047 application have been deposited under the Budapest Treaty and that all restrictions imposed by the depositor LABORATORIOS DEL DR. ESTEVE, S.A., on the availability to the public of the deposited material will be irrevocably removed upon granting of a patent.
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any patent issuing from the above-captioned patent application.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_